REMARKS

Applicants respectfully request further examination and reconsideration in view of the arguments set forth fully below. Claims 1-4, 6-10, 27-29, 31 and 38 were previously pending in this application. Within the Office Action, Claims 1-4, 6-10, 27-29, 31 and 38 have been rejected. Accordingly, Claims 1-4, 6-10, 27-29, 31 and 38 are currently pending.

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claims 1-3, 6-10, 27-29 and 31 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,051,275 to Gupta et al. (hereinafter "Gupta") in view of Official Notice. The applicants respectfully disagree.

Gupta teaches annotations for multiple versions of media content. Multiple different versions of the same multimedia content are available to a multimedia server, and an annotation server maintains annotations corresponding to the multimedia content, each annotation corresponding to each of the different versions of the multimedia content. [Gupta, Abstract] The video streams can differ in a variety of manners such as quality, modified timelines, and speed factors. [Gupta, col. 7, lines 53-64] However, Gupta does not teach generating a second copy of the media data in the personal information space, the second version including *an update not included in the first version*. Gupta also does not teach obtaining *difference information comprising differences between the first copy of the media data and the second copy of the media data*. Furthermore, Gupta does not teach an application data store holding a copy of *a previous state* of the digital media in the personal information store. Gupta also does not teach a device engine *comparing at least one change in a record* in said personal information store to said record in said application data store and *generating an output file including at least one delta* of digital media changed in the personal information store relative to the copy of the digital media in the system data store.

Within the Office Action dated March 17, 2008, Gupta, col. 4, is cited as teaching generating a second copy of the media data in the personal information space, the second version including an update not included in the first version and obtaining difference information comprising differences between the first copy of the media data and the second copy of the media data. Gutpa, Col. 4, is also cited as teaching an application data store holding a copy of a previous state of the digital media in the personal information store and a device engine comparing at least one change in a record in said personal information store to said record in said

application data store and generating an output file including at least one delta of digital media changed in the personal information store relative to the copy of the digital media in the system data store. Applicants respectfully disagree that Gupta, col. 4 teaches these limitations. The first paragraph of Gupta, col. 4, teaches an annotation server and how it communicates such as via HTTP or SMTP. The second paragraph of Gupta, col. 4, teaches annotations which are able to correspond to streaming or pre-delivered media. The third paragraph of Gupta, col. 4, teaches the process of a user accessing a page containing streaming media and how the browser contacts the annotation server. The fourth paragraph of Gupta, col. 4, teaches general computer information. The fifth paragraph of Gupta, col. 4, teaches a general example of a computer. The sixth paragraph of Gupta, col. 4, teaches a computer with internal components such as a processor and memory. The seventh paragraph of Gupta, col. 4, which is only a partial paragraph that continues on to col. 5, teaches more specifics about a computer such as describing the memory in more detail.

Within the Office Action in the Response to Arguments Section, it is stated that, "[t]he relied upon disclosure and the teachings of Gupta are not limited as concluded by the applicant." [Office Action, Page 4] Therefore, the entire language of column 4 is included herein:

> Annotation server 10 controls the storage of annotations and their provision to client computers 15. The annotation server 10 manages the annotation meta data store 18 and the annotation content store 17. The annotation server 10 communicates with the client computers 15 via any of a wide variety of known protocols, such as the Hypertext Transfer Protocol (HTTP). The annotation server 10 can receive and provide annotations via direct contact with a client computer 15, or alternatively via electronic mail (email) via email server 13. The annotation server 10 similarly communicates with the email server 13 via any of a wide variety of known protocols, such as the Simple Mail Transfer Protocol (SMTP).
>
> The annotations managed by annotation server 10 correspond to the streaming media available from media server computer 11. In the discussions to follow, the annotations are discussed as corresponding to streaming media. However, it should be noted that the annotations can similarly correspond to "pre-delivered" rather than streaming media, such as media previously stored at the client computers 15 via the network 16, via removable magnetic or optical disks, etc.
>
> When a user of a client computer 15 accesses a web page containing streaming media, a conventional web browser of the client computer 15 contacts the web server 12 to request a Hypertext Markup Language (HTML) page. The client-based browser also submits requests to the media server 11 for streaming data, and the annotation server 10 for any annotations associated with the streaming data. When a user of a client computer 15 desires to add or retrieve annotations, the client computer 15 contacts the annotation server 10 to perform

the desired addition/retrieval.

Exemplary Computer Environment

In the discussion below, the invention will be described in the general context of computer-executable instructions, such as program modules, being executed by one or more conventional personal computers. Generally, program modules include routines, programs, objects, components, data structures, etc. that perform particular tasks or implement particular abstract data types. Moreover, those skilled in the art will appreciate that the invention may be practiced with other computer system configurations, including hand-held devices, multiprocessor systems, microprocessor-based or programmable consumer electronics, network PCs, minicomputers, mainframe computers, and the like. In a distributed computer environment, program modules may be located in both local and remote memory storage devices.

FIG. 2 shows a general example of a computer 20 that can be used as a client or server in accordance with the invention. Computer 20 is shown as an example of a computer that can perform the functions of any of server computers 10 13 or a client computer 15 of FIG. 1.

Computer 20 includes one or more processors or processing units 21, a system memory 22, and a bus 23 that couples various system components including the system memory 22 to processors 21.

The bus 23 represents one or more of any of several types of bus structures, including a memory bus or memory controller, a peripheral bus, an accelerated graphics port, and a processor or local bus using any of a variety of bus architectures. The system memory includes read only memory (ROM) 24 and random access memory (RAM) 25. A basic input/output system (BIOS) 26, containing the basic routines that help to transfer information between elements within computer 20, such as during start-up, is stored in ROM 24. Computer 20 further includes a hard disk drive 27... [Gupta, col.4]

Thus, clearly, nothing of column 4 of Gupta teaches or makes obvious generating a second copy of the media data in the personal information space, the second version including an update not included in the first version. Similarly, nothing in column 4 of Gupta teaches obtaining difference information comprising differences between the first copy of the media data and the second copy of the media data. Furthermore, nothing in column 4 of Gupta teaches an application data store holding a copy of a previous state of the digital media in the personal information store. Additionally, nothing in column 4 of Gupta teaches a device engine comparing at least one change in a record in said personal information store to said record in said application data store and generating an output file including at least one delta of digital media changed in the personal information store relative to the copy of the digital media in the system data store. Furthermore, other places of Gupta do not teach nor make obvious these limitations either.

Although applicants do not agree with the Official Notice, it is only cited as teaching the storage being personal information space/store. Thus, Official Notice does not add anything with respect to the limitations described above that Gupta clearly does not teach.

In contrast to the teachings of Gupta, Official Notice and their combination, the present invention is directed to a method and system for synchronizing media data on devices including maintaining a personal information space identified with a user where the personal information space includes media data and transferring at least a portion of the media data from the personal information space to another device on the network in a differencing transaction in response to a user request. As described above, Gupta, Official Notice and their combination do not teach generating a second copy of the media data in the personal information space, the second version including an update not included in the first version. Gupta, Official Notice and their combination also do not teach obtaining difference information comprising differences between the first copy of the media data and the second copy of the media data. Furthermore, Gupta, Official Notice and their combination do not teach an application data store holding a copy of a previous state of the digital media in the personal information store. Gupta, Official Notice and their combination also do not teach a device engine comparing at least one change in a record in said personal information store to said record in said application data store and generating an output file including at least one delta of digital media changed in the personal information store relative to the copy of the digital media in the system data store.

Applicant further directs attention to the requirement for obviousness according to the MPEP §2143.03, "All Claim Limitations Must Be Considered," which states, "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385 (CCPA 1970) As described above, there are several elements of the claimed invention that are not taught nor made obvious by Gupta, Official Notice or their combination.

The independent Claim 1 is directed to a method of transferring media data to a network coupled apparatus. The method of Claim 1 comprises maintaining a personal information space identified with a user including media data, the personal information space being coupled to a network, generating a first copy of the media data in the personal information space, generating a second copy of the media data in the personal information space, the second version including an update not included in the first version, obtaining difference information comprising differences between the first copy of the media data and the second copy of the media data and transferring the difference information from the personal information space to the network coupled apparatus

in response to a user request. As described above, Gupta, Official Notice and their combination do not teach generating a second copy of the media data in the personal information space, the second version *including an update not included in the first version*. Gupta, Official Notice and their combination also do not teach obtaining *difference information* comprising *differences between the first copy of the media data and the second copy of the media data*. For at least these reasons, the independent Claim 1 is allowable over the teachings of Gupta, Official Notice and their combination.

Claims 2, 3 and 6-10 are all dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Gupta, Official Notice and their combination. Accordingly, the Claims 2, 3 and 6-10 are all also allowable as being dependent on an allowable base claim.

The independent Claim 27 is directed to a system for transferring digital media between a plurality of network coupled devices. The system of Claim 27 comprises a personal information store containing digital media readable by an application program and a processing device associated with the personal information store, the processing device including: an application data store holding a copy of a previous state of the digital media in the personal information store and a device engine comparing at least one change in a record in said personal information store to said record in said application data store and generating an output file including at least one delta of digital media changed in the personal information store relative to the copy of the digital media in the system data store. As described above, Gupta, Official Notice and their combination do not teach an application data store holding a copy of a *previous state* of the digital media in the personal information store. Gupta, Official Notice and their combination also do not teach a device engine *comparing at least one change* in a record in said personal information store to said record in said application data store and *generating an output file including at least one delta* of digital media changed in the personal information store relative to the copy of the digital media in the system data store. For at least these reasons, the independent Claim 27 is allowable over the teachings of Gupta, Official Notice and their combination.

Claims 28, 29 and 31 are all dependent on the independent Claim 27. As described above, the independent Claim 27 is allowable over the teachings of Gupta, Official Notice and their combination. Accordingly, the Claims 28, 29 and 31 are all also allowable as being dependent on an allowable base claim.

Within the Office Action, Claims 4 and 38 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Gupta and Official Notice in view of U.S. Patent Publ. No.

2002/0091785 to Ohlenbusch et al. (hereinafter Ohlenbusch). The applicants respectfully disagree.

Claims 4 and 38 are dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Gupta, Official Notice and their combination. Accordingly, the Claims 4 and 38 are also allowable as being dependent on an allowable base claim.

Within the Office Action, Claims 1-3, 6-10, 27-29 and 31 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publ. No. 2002/0049852 to Lee (hereinafter Lee) in view of Official Notice. The applicants respectfully disagree.

Lee teaches a method/system for creating, delivering, reassembling, rendering, and storing asynchronous and synchronous multimedia messages. Lee integrates video/audio streaming with existing Internet/Intranet email messaging and video/audio conferencing systems. The method taught in Lee enables electronic multimedia messaging on video/audio capture-equipped mobile platform with limited pre-installed software capability or memory footprint. [Lee, Abstract] Thus, Lee clearly teaches an implementation of video email. However, Lee does not teach generating a second copy of the media data in the personal information space, the second version including *an update not included in the first version.* Lee also does not teach obtaining *difference information comprising differences between the first copy of the media data and the second copy of the media data.* Furthermore, Lee does not teach an application data store holding a copy of *a previous state* of the digital media in the personal information store. Lee also does not teach a device engine *comparing at least one change in a record* in said personal information store to said record in said application data store and *generating an output file including at least one delta* of digital media changed in the personal information store relative to the copy of the digital media in the system data store.

Within the Office Action, Lee, page 4 is cited as teaching generating a second copy of the media data in the personal information space, the second version including an update not included in the first version and obtaining difference information comprising differences between the first copy of the media data and the second copy of the media data. Lee, page 4 is also cited as teaching an application data store holding a copy of a previous state of the digital media in the personal information store and a device engine comparing at least one change in a record in said personal information store to said record in said application data store and generating an output file including at least one delta of digital media changed in the personal information store relative to the copy of the digital media in the system data store. Applicants respectfully disagree that

Lee, page 4 teaches these limitations. Page 4 of Lee teaches a Universal Audio/Video Rendering Manager, a Streaming Media Publishing Manager, a Distributing Streaming Media Manager, a Video Phone Control Manager and an Unattended Streaming Advertisement Manager. None of these teach the limitations above. Lee is clearly focused on sending video via email.

Within the Office Action in the Response to Arguments Section, it is stated that, "the teachings of the Lee are not limited as concluded by the applicant." [Office Action, page 5] The following paragraphs are included to further show that the cited sections and other sections of Lee do not teach the claimed invention.

Lee, page 4, paragraph 41 teaches a Universal Audio/Video Rendering Manager which provides real-time audio/video display rendering to a sound output or a video display device and is capable of streaming media from a remote server.

Lee, page 4, paragraph 42 teaches a Streaming Media Publishing Manager which provides an integrated media stream uploading, email messaging and/or web publishing service.

Lee, page 4, paragraph 43 teaches a Distributing Streaming Media Manager which provides transparent file-like management for local and remote media objects/files.

Lee, page 4, paragraph 44 teaches a Video Phone Control Manager which provides video or audio conferencing.

Lee, page 4, paragraph 45 teaches an Unattended Streaming Advertisement Manager which provides advertisements.

Lee, page 4, paragraphs 46-49 merely incorporate by reference other applications and generalize the teaching of the application.

Thus, clearly, nothing of page 4 of Lee teaches or makes obvious generating a second copy of the media data in the personal information space, the second version including an update not included in the first version. Similarly, nothing in page 4 of Lee teaches obtaining difference information comprising differences between the first copy of the media data and the second copy of the media data. Furthermore, nothing in page 4 of Lee teaches an application data store holding a copy of a previous state of the digital media in the personal information store. Nothing in page 4 of Lee teaches a device engine comparing at least one change in a record in said personal information store to said record in said application data store and generating an output file including at least one delta of digital media changed in the personal information store relative to the copy of the digital media in the system data store. Furthermore, other places of Lee do not teach nor make obvious these limitations either.

Although applicants do not agree with the Official Notice, it is only cited as teaching the storage being personal information space/store. Thus, Official Notice does not add anything with respect to the limitations described above that Lee clearly does not teach.

In contrast to the teachings of Lee, Official Notice and their combination, the present invention is directed to a method and system for synchronizing media data on devices including maintaining a personal information space identified with a user where the personal information space includes media data and transferring at least a portion of the media data from the personal information space to another device on the network in a differencing transaction in response to a user request. As described above, Lee, Official Notice and their combination do not teach generating a second copy of the media data in the personal information space, the second version including an update not included in the first version. Lee, Official Notice and their combination also do not teach obtaining difference information comprising differences between the first copy of the media data and the second copy of the media data. Furthermore, Lee, Official Notice and their combination do not teach an application data store holding a copy of a previous state of the digital media in the personal information store. Lee, Official Notice and their combination also do not teach a device engine comparing at least one change in a record in said personal information store to said record in said application data store and generating an output file including at least one delta of digital media changed in the personal information store relative to the copy of the digital media in the system data store.

The independent Claim 1 is directed to a method of transferring media data to a network coupled apparatus. The method of Claim 1 comprises maintaining a personal information space identified with a user including media data, the personal information space being coupled to a network, generating a first copy of the media data in the personal information space, generating a second copy of the media data in the personal information space, the second version including an update not included in the first version, obtaining difference information comprising differences between the first copy of the media data and the second copy of the media data and transferring the difference information from the personal information space to the network coupled apparatus in response to a user request. As described above, Lee, Official Notice and their combination do not teach generating a second copy of the media data in the personal information space, the second version *including an update not included in the first version.* Lee, Official Notice and their combination also do not teach obtaining *difference information* comprising *differences between the first copy of the media data and the second copy of the media data.* For at least these reasons, the independent Claim 1 is allowable over the teachings of Lee, Official Notice

and their combination.

Claims 2, 3 and 6-10 are all dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Lee, Official Notice and their combination. Accordingly, the Claims 2, 3 and 6-10 are all also allowable as being dependent on an allowable base claim.

The independent Claim 27 is directed to a system for transferring digital media between a plurality of network coupled devices. The system of Claim 27 comprises a personal information store containing digital media readable by an application program and a processing device associated with the personal information store, the processing device including: an application data store holding a copy of a previous state of the digital media in the personal information store and a device engine comparing at least one change in a record in said personal information store to said record in said application data store and generating an output file including at least one delta of digital media changed in the personal information store relative to the copy of the digital media in the system data store. As described above, Lee, Official Notice and their combination do not teach an application data store holding a copy of *a previous state* of the digital media in the personal information store. Lee, Official Notice and their combination also do not teach a device engine *comparing at least one change* in a record in said personal information store to said record in said application data store and *generating an output file including at least one delta* of digital media changed in the personal information store relative to the copy of the digital media in the system data store. For at least these reasons, the independent Claim 27 is allowable over the teachings of Lee, Official Notice and their combination.

Claims 28, 29 and 31 are all dependent on the independent Claim 27. As described above, the independent Claim 27 is allowable over the teachings of Lee, Official Notice and their combination. Accordingly, the Claims 28, 29 and 31 are all also allowable as being dependent on an allowable base claim.

Within the Office Action, Claims 4 and 38 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee and Official Notice in view of Ohlenbusch. The applicants respectfully disagree.

Claims 4 and 38 are dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Lee, Official Notice and their combination. Accordingly, the Claims 4 and 38 are also allowable as being dependent on an allowable base claim.

For these reasons, Applicants respectfully submit that all of the claims are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

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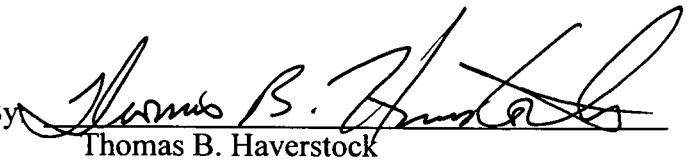
By 
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